

Exhibit C

**Department of
Environmental
Conservation****KATHY HOCHUL**
Governor**SEAN MAHAR**
Interim Commissioner

February 20, 2025

Ed Hannon
Northrop Grumman
925 South Oyster Bay Road
Bethpage, NY 11714

Re: Northrop Grumman Bethpage Facility
DRAFT Data Gap Soil Sampling Plan for
Operable Unit 3, Phase 1 - Playground and Pool Area
(NYSDEC Site# 130003A)

Dear Mr. Hannon:

The New York State Department of Environmental Conservation (Department) has completed review of the *DRAFT Data Gap Soil Sampling Plan for Operable Unit 3, Phase 1 - Playground and Pool Area* (Sampling Plan) submitted to the Town of Oyster Bay on February 7, 2025, and the Department on February 12, 2025. It is understood that the Data Gap Sampling program has been divided into two phases to expedite the investigation and cleanup process and to accommodate the Town request that sampling be completed in the area outside of the ballfield by May 1, 2025. Specifically, Phase 1 will address the data gap soil sampling outside of the ballfield (i.e., in the playground and pool areas), while Phase 2 will address data gap soil sampling within the ballfield area.

As you are aware, the 2013 OU3 Record of Decision (ROD) requires removal of all PCB contaminated soil exceeding 50 parts per million (ppm), removal of PCBs exceeding 1 ppm from the zero to two-foot depth interval, and removal of PCBs exceeding 10 ppm to a depth of ten feet below ground surface (bgs). As with the previous sampling plan that Northrop Grumman submitted in September 2024, our review of the Phase 1 Sampling Plan indicates that the soil sampling program meets the minimum requirements set forth in the 2013 ROD to design the next phases of the OU3 remediation. Once again, the Department recognizes and appreciates that Northrop Grumman's proposed sampling plan supports a delineation to fully evaluate a more stringent cleanup than required under the 2013 OU3 ROD. Furthermore, it is expected that this sampling program will provide the necessary information for Northrop Grumman and the Town of Oyster Bay to agree on the scope of cleanup that will be included in the Risk-Based Disposal Application Process.

Based on our review of the Sampling Plan, the Department has the following comments and questions:

1. The Sampling Plan (Section 2. Background) indicates that “Only 3 samples were reported to exceed 50 ppm PCBs at any depth and only 2 samples were reported at PCB concentrations of 1 to 10 ppm below 10 feet bgs.” The Department’s dataset is generally consistent with these values, although four (4) samples were reported to exceed 50 ppm PCBs at any depth and three (3) samples contained PCBs at concentrations between 1 and 10 ppm below 10 feet bgs. One (1) sample exceeded 10 ppm (sample nAH-23-16 obtained from 14 to 16 feet bgs contained PCBs at a concentration of 12.9 ppm).
2. In support of the Risk-Based Disposal Application, it would provide clarification and be consistent with discussions to date, to state in the Objectives section that the Sampling Plan has been developed to provide the information needed for the Town of Oyster Bay and Northrop Grumman to complete negotiations and agree on the PCB cleanup standard for the park, in order to jointly submit the Risk-Based Disposal Application to the Environmental Protection Agency (EPA) for review and approval.
3. The Department has performed additional analyses to quantitatively compare the Sampling Plan (Section 3, bullet points # 1-5) to our November 27, 2024 soil sampling proposal. Based on this analysis, the Department approves of the criteria for PCB soil sampling, with the following contingency: Since the Sampling Plan does not include the collection of soil samples in areas least likely to exceed 0.1 ppm for PCBs (blue-shaded grid cells as defined in the Department’s analysis), should the new data gathered during this sampling event change our understanding of soil contamination in those areas, the collection of additional soil samples may be required.
4. The Sampling Plan indicates that soil samples will be collected for metals analysis to maximum depths of 10 ft bgs (Section 3, bullet point six). The Department’s data gap analysis, as outlined in our November 27, 2024 letter, determined there are nine Department model grid locations in the playground and pool area between 10 and 20 ft that warrant additional investigation for metals. Specifically, four sampling locations were proposed from the 10-15 ft bgs depth interval and five sampling locations were proposed from the 15-20 ft bgs depth interval for total chromium (see the two attached figures included as Attachment B in the Department’s November 27, 2024 letter). Based on this, and consistent with Sampling Plan Section 3, bullet point number two, the Department requests that Northrop Grumman use professional judgement and collect a representative number of soil samples for metals analysis from these two areas (10 ft – 15 ft interval and 15 – 20 ft interval).
5. While the Department approves of the hexavalent chromium sampling approach outlined in the Sampling Plan (Section 3, bullet point seven) where 25% of the

soil samples with total chromium detections will be held by the laboratory and analyzed for hexavalent chromium, please indicate that the selection of soil samples for hexavalent chromium analysis will be decided in cooperation with the Department. It is expected that the hexavalent chromium samples will be a representative subset of the total chromium samples with concentrations exceeding 1 ppm, including, but not limited to, the samples with the highest total chromium results. Additionally, to the extent practicable, hexavalent chromium sampling locations should be distributed throughout the Phase 1 sampling area to provide adequate spatial delineation.

It should be noted that the Department's analysis of existing soil sampling metals data from the Former Grumman Settling Ponds, which includes 264 soil samples, generally indicate that hexavalent chromium may be less prevalent outside of the former ballfield area. Twenty-eight hexavalent chromium samples were collected within the playground area; of which twenty-six soil samples were non-detect for hexavalent chromium and hexavalent chromium was detected at a maximum concentration of 34.7 ppm. However, additional sampling is needed, particularly within the pool area which is unsampled for hexavalent chromium. For comparison, of the 238 soil samples collected for hexavalent chromium analysis from within the ballfield, approximately twenty percent of the samples exceeded 1 ppm with a maximum concentration of 560 ppm.

6. The sampling plan specifies that direct push technology (DPT) will be used for borings to 20 ft or less that are not hand-augured, and that if there are difficulties, the location may be offset, or a rotary sonic drill rig will be used. Will Northrop Grumman's selected DPT contractor have a sonic rig prepared to mobilize if needed, or an additional contractor under standby contract?
7. As also requested by the Town of Oyster Bay, please briefly outline in the Phase 1 Data Gap Sampling Work Plan, Northrop Grumman's strategy (for example, the possible use of two rigs simultaneously) to meet the Town's May 1, 2025 deadline for completion of the Phase 1 sampling areas including contingency procedures in the event of an unforeseen delay in progress.
8. In the last bullet point of Section 3, it states "soil borings may be moved in the field up to 10 feet in any direction to address drill rig access or avoidance of damage to Park property..." Please indicate that these decisions will be based on discussion with the Department.
9. Will discrete interval sampling equipment be used to ensure soil recovered by the DPT drill rig is collected and representative of the targeted interval? Similarly, please include a discussion in the work plan describing the sampling approach should visually impacted soil be encountered during the sampling program.
10. In addition to the Department's comments, we are attaching the Town of Oyster Bay's comments that were submitted separately on February 14, 2025.

In an effort to meet the Town's May 1, 2025 deadline and expedite our final Phase 1 Data Gap Sampling Work Plan approval the Department is available to meet to review questions associated with these comments. Please contact me at (518) 402-3854.

Sincerely,



Sarah A. Johnston
Project Manager

Attachments:

1. Pages from Attachment B of the Department's November 27 Letter
2. Town Comments on Northrop Grumman's Phase 1 Data Gaps Sampling Plan

ecc:	R. Lenz	TOB
	M. Russo	TOB
	A. Stabulas	EPA
	J. Sullivan	NYSDOH
	J. Balmat	Verdantas
	R. Poff	Verdantas
	C. Tuohy	Verdantas
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